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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/757,342  | 01/09/2001  | Andrew Rodney Ferlitsch | SLA0323             | 8145             |
| 52894   | 7590        | 08/31/2006              | EXAMINER            |                  |
| KRIEGER INTELLECTUAL PROPERTY, INC.<br>P.O. BOX 1073<br>CAMAS, WA 98607 |             |                         | NGUYEN BA, PAUL H   |                  |
|   |             |                         | ART UNIT            | PAPER NUMBER     |
|   |             |                         | 2176                |                  |

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/757,342

Applicant(s)

FERLITSCH ET AL.

Examiner

Paul Nguyen-Ba

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 August 2006 has been entered.
2. Claims 1-25 are currently pending. Claims 1, 13, 18, 19, 25, and 26 are independent claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**4. Claims 1, 3-9, 11-13, and 15-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham, U.S. Patent Application Publication No. 2002/0067380, in view of Taguchi, U.S. Patent No. 6,081,817.**

**Regarding independent claim 1, Graham discloses:**

*A method for providing a computer document content editing function through the use of page-indexed icon in a graphical user interface operating on a computing device comprising a display, a processing unit and an input device (see Title and Abstract); said method comprising:*

➤ *displaying an icon on said display, wherein elements of said icon are linked to specific pages of a document, (see Figs. 4-7 and paragraph [0019]: Graham discloses a method and system for organizing document information producing a representation of a document (i.e., icons) that indicates to the user the page-indexed contents of the document), said icon elements comprising:*

➤ *a 3D object image linked to a document page (see Figs. 4-7 and paragraphs [0019], [0022], and [0032]: Document images depict a representation of the contents of their corresponding documents), and*

➤ *(...) page-specific editing function related to said page in response to user input through said input device (see paragraph [0020], [0041], and [0042]: A user may edit the page-specific*

document images in response to user input using highlight, color, italics, fonts, etc.).

Graham suggests, but does not explicitly disclose:

➤ *at least one active region on said 3D object images capable of activating page-specific editing function related to said page in response to user input through said input device.*

However, Taguchi discloses a document edit system which concurrently displays (in overlapping, adjacent, and successive order) and edits documents at the page unit level based on the edit commands (see Title). Edit commands include page move, page copy, and page discard within a single document, or from one document to another, for creating a new document, (see Abstract). A user operates, for example, a mouse to activate the page region to be edited (see Fig. 5 and col. 5 lines 34 *et seq.*).

Since both references are from the same field of endeavor, the motivational purpose of a more efficient document editing system which edits a document consisting of a plurality of pages in page units as disclosed by Taguchi would have been recognized in the pertinent art of Graham. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Graham with the teachings of Taguchi to include *at least one active region on said object images capable of activating* page-specific editing function related to said page in response to user input through said input device.

**Independent claims 13, 18, 19, and 25**, incorporate substantially similar subject matter as independent claim 1, and are rejected along the same rationale.

**Regarding claim 3**, Graham, in view of Taguchi, further disclose the method wherein said object image comprises a reduced image of said document page (see Graham - Figs. 4-7 and paragraphs [0019], [0022], and [0032]; see also, Taguchi - col. 2 lines 33-45).

**Regarding claims 4, 5, 7, and 15**, Graham, in view of Taguchi, further disclose the method wherein said object image comprises a page image comprising descriptive portions of said document page and a page image displayable from each object image, said page image displaying recognizable elements of a document page represented by the object image to which said page image is associated (see Graham – Figs. 4-7 and paragraphs [0019], [0022], and [0032]; see also, Taguchi - col. 2 lines 33-45).

**Regarding claims 6, 23, and 24**, Graham, in view of Taguchi, further disclose summary of information contained on said document page (see Graham - paragraph [0041]: i.e., text summarization).

**Regarding claims 8 and 9**, Graham discloses the method of claim 1 as discussed above, but does not explicitly teach a document and page property sheet.

However, Taguchi teaches a document and page property sheet (see col. 2 lines 50-60). Since both references are from the same field of endeavor, the motivational purpose of a more efficient document editing system which edits a document consisting of a plurality of pages in page units as disclosed by Taguchi would have been recognized in the pertinent art of Graham. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Graham with the teachings of Taguchi.

**Regarding claims 11, 12, 17, 20, and 21**, Graham, in view of Taguchi, disclose the methods wherein said icon further comprises page scrolling functionality and wherein said icon further comprises the ability to represent a plurality of page ranges with independent scrolling controls (see Graham – paragraphs [0021]).

**Regarding claim 16**, Graham, in view of Taguchi, disclose the method of wherein said page images may be dragged and dropped to effectuate document page re-ordering (see Taguchi – cols. 1 lines 59-63 and col. 3 lines 14-20).

Since both references are from the same field of endeavor, the motivational purpose of a more efficient document editing system which edits a document consisting of a plurality of pages in page units as disclosed by Taguchi would have been

recognized in the pertinent art of Graham. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Graham with the teachings of Taguchi.

**Regarding claim 22**, Graham, in view of Taguchi, disclose wherein each of said object images comprises a plurality of edges such that multiple sets of edges are arranged to represent multiple page ranges of a document (see Graham - Figs. 4-7 and paragraphs [0019], [0022], and [0032]).

**5. Claims 2, 10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham, U.S. Patent Application Publication No. 2002/0067380, in view of Taguchi, U.S. Patent No. 6,081,817, in further view of Hahn et al. ("Hahn"), U.S. Patent No. 5,751,287.**

**Regarding claims 2 and 14**, Graham, in view of Taguchi, discloses the method with respect to claim 1 discussed above, but does not specifically disclose the method wherein said icon further comprises at least one tab having at least one active tab region capable of activating a function in response to user input through said input device.



However, Hahn discloses folder documents with icons comprising label tabs having at least one active tab region capable of activating a function in response to user input through said input device (see Abstract and Figs. 10-12B) for the purpose of providing a graphical user interface that presents the user with an easy and efficient system for manipulating and organizing documents in a computer system (col. 2, lines 43-45).

Since the references are from the same field of endeavor, the purposes disclosed by Hahn would have been recognized in the pertinent art of Graham, in view of Taguchi. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Graham, in view of Taguchi, with the teachings of Hahn to include label tabs having at least one active tab region capable of activating a function in response to user input through said input device for the purpose of providing a graphical user interface that presents the user with an easy and efficient system for manipulating and organizing documents in a computer system.

**Regarding claim 10,** Graham, in view of Taguchi, discloses the method for manipulating computer documents through the use of an icon in a graphical user interface with respect to claim 1 discussed above, but does not specifically disclose method wherein said icon further comprises a print setting sheet.

However, Hahn discloses a print setting sheet (see Figs. 13A and 13B; col. 10, lines 7-34) for the purpose of providing a graphical user interface that presents the user with an easy and efficient system for printing documents in a computer system.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Graham, in view of Taguchi, with the teachings of Hahn to include a print setting sheet (see Figs. 13A and 13B; col. 10, lines 7-34) for the purpose of providing a graphical user interface that presents the user with an easy and efficient system for printing documents in a computer system.

### ***Response to Arguments***

6. Applicant's arguments filed on 16 August 2006 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB  
8/28/06

  
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